

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOCELYN RAMOS PADILLA

DEBTOR(S)

CASE NUMBER: 08-01142 (ESL)

CHAPTER 13 ASSET CASE)

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. In order to provide for post petition arrears with Banco Popular de Puerto Rico due to the fact that debtor had some extraordinary expenses in regards with debtor's judicial litigation over custody of child.

3. Debtor (s) amend plan call sixty (60) payment of \$225.00 for a total base of \$13,500.00 dollars with a provision for the payment of pre petition and post petition arrears to Banco Popular de Puerto Rico, account ending number-9669.

4. Debtor (s) are still interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 21th, day of January 2011.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ **Marilyn Valdes Ortega**
MARILYN VALDES ORTEGA
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**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

RAMOS PADILLA, JOCELYN

Debtor(s)

Case No. **08-01142**

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____		<input checked="" type="checkbox"/> AMENDED PLAN DATED: 1/21/2011																															
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																															
I. PAYMENT PLAN SCHEDULE <table style="width: 100%; border-collapse: collapse;"> <tr><td>\$</td><td>225.00</td><td>x</td><td>60</td><td>= \$</td><td>13,500.00</td></tr> <tr><td>\$</td><td></td><td>x</td><td></td><td>= \$</td><td></td></tr> <tr><td>\$</td><td></td><td>x</td><td></td><td>= \$</td><td></td></tr> <tr><td>\$</td><td></td><td>x</td><td></td><td>= \$</td><td></td></tr> <tr><td>\$</td><td></td><td>x</td><td></td><td>= \$</td><td></td></tr> </table> TOTAL: \$ 13,500.00		\$	225.00	x	60	= \$	13,500.00	\$		x		= \$		\$		x		= \$		\$		x		= \$		\$		x		= \$		II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR \$ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. BANCO POPULAR D Cr. BANCO POPULAR D Cr. # Pre-Petition9669 # Post-Petition9669 # \$ 1,350.37 \$ 2,913.95 \$ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. Cr. Cr. # # # \$ \$ \$ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. Cr. Cr. # # # \$ \$ \$ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: BANCO POPULAR C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: Cr. Cr. Cr. # # # \$ \$ \$ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR. ADEQUATE PROTECTION PAYMENT TO RG MORTGAGE UNTIL CONFIRMATION IS THE EQUITY OF THE HOUSE. AFTER CONFIRMATION EQUAL MONTHLY PAYMENT TO RG MORTGAGE OF \$ 202.50 MONTHS (15 -21) DEBTOR WILL ASUME DIRECT PAYMENTS TO BPPR MORTGAGE AS OF FEBRUARY 2011.	
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III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 3,000.00 <i>Additional fees + 350.00</i> <i>Balance 3350.00</i>																																	
Signed: /s/ JOCELYN RAMOS PADILLA Debtor Joint Debtor																																	

Attorney for Debtor **Marilyn Valdes Ortega Law Offices**

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